

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DePuy Mitek, Inc.)	
a Massachusetts Corporation)	
)	
Plaintiff.)	
)	
v.)	Civil No. 04-12457 PBS
)	
Arthrex, Inc.)	
a Delaware Corporation)	
)	
Defendant.)	


**PLAINTIFF DEPUY MITEK'S MOTION TO JOIN
PEARSALLS LIMITED AS A CO-DEFENDANT**

DePuy Mitek, Inc. moves under Federal Rules of Civil Procedure 15 and 20 to add Pearsalls Limited as a co-defendant to this action. Amending the Complaint to add Pearsalls as a co-defendant is proper. This motion is supported by the accompanying memorandum and exhibits submitted therewith.

A proposed form of Order is attached hereto as Exhibit A.

DEPUY MITEK, INC.,

By its attorneys,



Daniel J. Gleason (BBO #194900)
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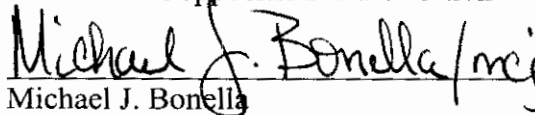
and

Dianne B. Elderkin (pro hac vice)
Lynn A. Malinoski (pro hac vice)
Michael J. Bonella (pro hac vice)
Erich M. Falke (pro hac vice)
WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
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(215) 568-3100

Dated: August 31, 2005

LOCAL RULE 7.1 CERTIFICATION

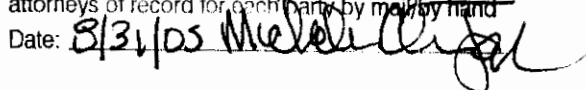
I, Michael J. Bonella, counsel for Plaintiff, DePuy Mitek, certify that on August 24, 2005, August 26, 2005, and August 29, 2005, I conferred with Charles Saber, counsel for Defendant, Arthrex, Inc. to resolve the issues presented in "DePuy Mitek's Motion to Join Pearsalls, Ltd. as a Co-Defendant." Mr. Saber advised me that although Arthrex does not consent to the motion, Arthrex does not oppose the motion and would not file an opposition to the motion.


Michael J. Bonella

CERTIFICATE OF SERVICE

I hereby certify that on this day a true
copy of the above document was served upon the
attorneys of record for each party by mail by hand

Date: 8/31/05



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Arthrex, Inc.)	
a Delaware Corporation)	
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**[PROPOSED] ORDER GRANTING PLAINTIFF DEPUY MITEK'S MOTION
TO JOIN PEARSALLS LIMITED AS A CO-DEFENDANT**

AND NOW, this _____ day of _____, 2005, upon consideration of the DePuy
Mitek's Motion To Join Pearsalls Limited As A Co-Defendant,

It is hereby ORDERED that the Motion is GRANTED.

DePuy Mitek will submit an Amended Complaint within 10 days of the entry of this Order.

Date: _____

United States District Judge Saris